

John E. Selent

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T.R.A. DOCKET ROOM

May 18, 2004

Mr. Aster Adams, Chief  
Economic Analysis and Market Monitoring Division  
Tennessee Regulatory Division  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

**Re: Joint Petition of Teligent, Inc., Teligent Services, Inc. and Aspen Partners Series A, a Series of Aspen Capital Partners, L.P. for Approval of Transfer of Control, before the Tennessee Regulatory Authority, Nashville, Tennessee**

**Docket No. 04-00132**

Dear Mr. Adams:

The purpose of this letter is to respond to the Tennessee Regulatory Authority's Data Request No. 1, which you sent to us on May 11, 2004. We have provided the answers of the Joint Petitioners after each of your posed questions listed below:

1. *Do the parties have a particular date by which you need the Authority's ruling?*
  - A. The parties would like to close the transaction by the first week in June.
2. *Please provide the Docket # and a copy of the FCC filing.*
  - A. The FCC filings identified in Paragraph 14 of the Joint Petition have been docketed as set forth below. Copies of these filings are attached hereto as Exhibit A.
    - Application for Transfer of Wireless Licenses (603): File # 0001679126
    - Application for Transfer of Domestic Section 214 Authorization: Docket # WC 04-148

Application for Transfer of International Section 214 Authorization:  
Docket # ITC-T/C-20040406-00132

3. *Are the parties planning to notify their respective customers in Tennessee of the change in control and date of change?*

A. No, the parties do not intend to provide a formal notification of the transfer of control to their respective customers in Tennessee because the change will be transparent to the customers and because it simply involves the exchange of stock between current owners.

4. *Please provide an organization chart before and after the transfer of control detailing the new relationship of the companies.*

A. Organizational charts depicting the organization of the parties prior to the transfer of control are attached hereto as Exhibit B. An organizational chart depicting how parties will be organized after the transfer of control is approved is attached hereto as Exhibit C.

5. *Confirm that Aspen or its various associated companies have no CCNs in Tennessee. If any of them do, please provide the Docket Nos. in which the CCN's were given.*

A. Aspen and its various associated companies do not have any Certificates of Public Convenience and Necessity ("CCN's") in Tennessee other than the one in the name of Teligent Services, Inc., which was identified in Paragraph 2 of the Joint Petition.

6. *Under what statute, rule, or order are the parties submitting this petition?*

A. The parties submitted the Joint Petition under T.C.A. §§ 65-4-112 and 65-4-113, as identified in the introduction of the Joint Petition.

7. *How many customers do Teligent Inc. or Teligent Services have in the state of Tennessee?*

A. Fifty-five as of the end of April 2004.

8. *Do the parties request a name change on the CCN or will it remain with Teligent Inc. and Teligent Services, Inc.?*

A. The parties do not request a name change and intend for the CCN to remain in the name of Teligent Services, Inc.

9. *The petition mentions that the rates will stay the same and the management will remain. Is there anything about the operation of the companies that will change as a result of the purchase by Aspen?*

A. As the transaction is merely a purchase and sale of stock at the parent company level between existing shareholders, the terms of the transaction do not include any change to the operation of the companies.

10. *Does Aspen own CCNs in any other states? If so, where and how many customers do they have?*

A. Aspen does not own a CCN in any other state.

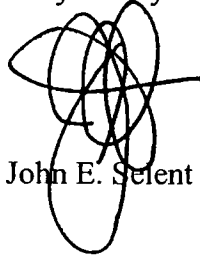
11. *Provide additional information about Aspen's financial, technical, and managerial strength to purchase Teligent, Inc. and Teligent Services, Inc.*

A. Financial: Aspen has access to extensive financial assets in order to provide adequate capital and resources to continue Teligent, Inc. and Teligent Services, Inc.'s operations. As of year end 2003, Aspen had total assets of more than \$1 billion, including partners' capital of almost \$800 million.

Technical and Managerial: Aspen also has ample technical and managerial experience and resources to act as an owner of Teligent, Inc. and Teligent Services, Inc. Aspen has an established record of investments in, and expertise related to, telecommunications companies providing services to customers within the United States. For example, Aspen currently holds significant interests in First Avenue Networks, a high-speed wireless broadband service provider, Mpower Holding Corp, a small business broadband service provider and Metricom, Inc., a wireless internet access provider. Aspen previously has held substantial interests in other communications service providers such as Leap Wireless International (PCS services) and Metrocall Holdings (2-way paging, wireless data and messaging services). Aspen's continuing involvement in the ownership of these regulated companies has provided Aspen's management team with extensive relevant management experience. Thus, Aspen has vast experience in the telecommunications industry and will share this expertise in its role as owner of Teligent, Inc. and Teligent Services, Inc., as a supplement to the extensive expertise already possessed by the managerial and technical personnel of Teligent, Inc. and Teligent Services, Inc.

We hope that these answers, in addition to the information contained in the Joint Petition, will enable the Tennessee Regulatory Authority to approve the transfer in control of Teligent, Inc. so that the business can consummate the proposed transaction and turn its complete concentration to maintaining its high level of telecommunications service to customers in Tennessee and across the nation. If you need any additional information or clarification on any of the information provided above, please contact me with your questions. We appreciate your attention to this matter.

Very truly yours,

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal stroke extending to the right.

John E. Selent

JES:bmt

cc: Raul R. Rodriguez, Esq.  
David S. Keir, Esq.  
Tom W. Davidson, Esq.

91047v1  
32174-1

Mr. Aster Adams, Chief  
May 18, 2004  
Page 5

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bcc/Brian H. Leventhal, Esq. (w/enclosures)

<b>FCC 603</b>	<b>FCC Wireless Telecommunications Bureau Application for Assignments of Authorization and Transfers of Control</b>	Approved by OMB 3060 - 0800 See instructions for public burden estimate  Previewed 04/05/2004 at 03:41PM  File Number: <b>0001679126</b>
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<b>1) Application Purpose: Transfer of Control</b>	
2a) If this request is for an Amendment or Withdrawal, enter the File Number of the pending application currently on file with the FCC	File Number:
2b) File numbers of related pending applications currently on file with the FCC.	

**Type of Transaction**

3a) Is this a <i>pro forma</i> assignment of authorization or transfer of control? <b>No</b>
3b) If the answer to Item 3a is "Yes", is this a notification of a <i>pro forma</i> transaction being filed under the Commission's forbearance procedures for telecommunications licenses?
4) For assignment of authorization only, is this a partition and/or disaggregation?
5a) Does this filing request a waiver of the Commission rules? If "Yes", attach an exhibit providing the rule numbers and explaining circumstances. <b>No</b>
5b) If a feeable waiver request is attached, multiply the number of stations (call signs) times the number of rule sections and enter the result.
6) Are attachments being filed with this application? <b>Yes</b>
7a) Does the transaction that is the subject of this application also involve transfer or assignment of other wireless licenses held by the assignor/transferor or affiliates of the assignor/transferor (e.g., parents, subsidiaries, or commonly controlled entities) that are not included on this form and for which Commission approval is required? <b>No</b>
7b) Does the transaction that is the subject of this application also involve transfer or assignment of non-wireless licenses that are not included on this form and for which Commission approval is required? <b>Yes</b>

**Transaction Information**

8) How will assignment of authorization or transfer of control be accomplished? <b>Sale or other assignment or transfer of stock</b> If required by applicable rule, attach as an exhibit a statement on how control is to be assigned or transferred, along with copies of any pertinent contracts, agreements, instruments, certified copies of Court Orders, etc.
9) The assignment of authorization or transfer of control of license is: <b>Voluntary</b>

**Licensee/Assignor Information**

10) FCC Registration Number (FRN) <b>0004371415</b>			
11) First Name (if individual).	MI:	Last Name:	Suffix:
12) Entity Name (if not an individual): <b>Teligent, Inc.</b>			
13) Attention To: <b>Brian H. Leventhal</b>			
14) P O Box:	And / Or	15) Street Address <b>460 Herndon Parkway, Suite 100</b>	
16) City: <b>Herndon</b>	17) State: <b>VA</b>	18) Zip Code: <b>20170</b>	
19) Telephone Number: <b>(703)326-4780</b>		20) FAX Number: <b>(703)318-5340</b>	
21) E-Mail Address: <b>brian.leventhal@teligent.com</b>			

**22) Race, Ethnicity, Gender of Assignor/Licensee (Optional)**

<b>Race:</b>	American Indian or Alaska Native:	Asian:	Black or African-American:	Native Hawaiian or Other Pacific Islander:	White:
<b>Ethnicity:</b>	Hispanic or Latino:	Not Hispanic or Latino:			
<b>Gender:</b>	Female:	Male:			

**Transferor Information (for transfers of control only)**

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23) FCC Registration Number (FRN) 0004371415			
24) First Name (if individual)	MI.	Last Name	Suffix
25) Entity Name (if not an individual): Telligent, Inc. (Shareholders of)			
26) P.O. Box:	And / Or	27) Street Address 460 Herndon Parkway, Suite 100	
28) City: Herndon	29) State: VA	30) Zip Code: 20170	
31) Telephone Number (703)326-4780		32) FAX Number (703)318-5340	
33) E-Mail Address: brian.leventhal@telligent.com			

**Name of Transferor Contact Representative (if other than Transferor) (for transfers of control only)**

34) First Name: Raul	MI R	Last Name Rodriguez	Suffix:
35) Company Name: Leventhal Senter & Lerman PLLC			
36) P.O. Box:	And / Or	37) Street Address: 2000 K Street NW, Suite 600	
38) City: Washington	39) State: DC	40) Zip Code: 20006-1809	
41) Telephone Number: (202)429-8970		42) FAX Number: (202)293-7783	
43) E-Mail Address: rrodriguez@lsl-law.com			

**Assignee/Transferee Information**

44) The Assignee is a(n). Partnership			
45) FCC Registration Number (FRN) 0010633915			
46) First Name (if individual):	MI	Last Name:	Suffix:
47) Entity Name (if other than individual) Aspen Partners - Series A, a Series of Aspen Capital Partners, L.P.			
48) Name of Real Party in Interest			49) TIN:
50) Attention To: Nikos Hecht			
51) P.O. Box:	And / Or	52) Street Address: 157 West 57th Street	
53) City: New York	54) State: NY	55) Zip Code: 10019	
56) Telephone Number: (212)277-5400		57) FAX Number: (212)974-1753	
58) E-Mail Address: nhecht@aspenadvisorsllc.com			

**Name of Assignee/Transferee Contact Representative (if other than Assignee/Transferee)**

59) First Name: Tom	MI: W	Last Name: Davidson	Suffix: Esq
60) Company Name: Akin Gump Strauss Hauer & Feld LLP			
61) P.O. Box:	And / Or	62) Street Address: 1333 New Hampshire Ave., N.W.	
63) City: Washington	64) State: DC	65) Zip Code: 20036	
66) Telephone Number: (202)887-4011		67) FAX Number: (202)887-4288	
68) E-Mail Address: tdavidson@akingump.com			

**Alien Ownership Questions**

69) Is the Assignee or Transferee a foreign government or the representative of any foreign government?	No
70) Is the Assignee or Transferee an alien or the representative of an alien?	No
71) Is the Assignee or Transferee a corporation organized under the laws of any foreign government?	No
72) Is the Assignee or Transferee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	No
73) Is the Assignee or Transferee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If 'Yes', attach exhibit explaining nature and extent of alien or foreign ownership or control	No

**Basic Qualification Questions**

74) Has the Assignee or Transferee or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission? If 'Yes', attach exhibit explaining circumstances.	No
75) Has the Assignee or Transferee or any party to this application, or any party directly or indirectly controlling the Assignee or Transferee, or any party to this application ever been convicted of a felony by any state or federal court? If 'Yes', attach exhibit explaining circumstances	No

23) FCC Registration Number (FRN) 0004371415			
24) First Name (if individual):	MI	Last Name	Suffix
25) Entity Name (if not an individual): Teligent, Inc. (Shareholders of)			
26) P O Box:	And / Or	27) Street Address 460 Herndon Parkway, Suite 100	
28) City: Herndon	29) State VA	30) Zip Code: 20170	
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33) E-Mail Address: brian.leventhal@teligent.com			

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70) Is the Assignee or Transferee an alien or the representative of an alien?	No
71) Is the Assignee or Transferee a corporation organized under the laws of any foreign government?	No
72) Is the Assignee or Transferee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	No
73) Is the Assignee or Transferee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If 'Yes', attach exhibit explaining nature and extent of alien or foreign ownership or control	No

**Basic Qualification Questions**

74) Has the Assignee or Transferee or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission? If 'Yes', attach exhibit explaining circumstances.	No
75) Has the Assignee or Transferee or any party to this application, or any party directly or indirectly controlling the Assignee or Transferee, or any party to this application ever been convicted of a felony by any state or federal court? If 'Yes', attach exhibit explaining circumstances	No



76) Has any court finally adjudged the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? If 'Yes', attach exhibit explaining circumstances	No
77) Is the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee currently a party in any pending matter referred to in the preceding two items? If 'Yes', attach exhibit explaining circumstances	No

**78) Race, Ethnicity, Gender of Assignee/Transferee (Optional)**

<b>Race:</b>	American Indian or Alaska Native:	Asian	Black or African-American:	Native Hawaiian or Other Pacific Islander	White:
<b>Ethnicity:</b>	Hispanic or Latino:	Not Hispanic or Latino.			
<b>Gender:</b>	Female:	Male			

**Assignor/Transferor Certification Statements**

1) The Assignor or Transferor certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd. 6293 (1998)			
2) The Assignor or Transferor certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith			
79) Typed or Printed Name of Party Authorized to Sign			
First Name: James	MI:	Last Name: Continenza	Suffix:
80) Title: CEO			
Signature: James Continenza		81) Date: 03/27/04	

**Assignee/Transferee Certification Statements**

1) The Assignee or Transferee certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd. 6293 (1998)
2) The Assignee or Transferee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.
3) The Assignee or Transferee certifies that grant of this application would not cause the Assignee or Transferee to be in violation of any pertinent cross-ownership, attribution, or spectrum cap rule. *If the applicant has sought a waiver of any such rule in connection with this application, it may make this certification subject to the outcome of the waiver request.
4) The Assignee or Transferee agrees to assume all obligations and abide by all conditions imposed on the Assignor or Transferor under the subject authorization(s), unless the Federal Communications Commission pursuant to a request made herein otherwise allows, except for liability for any act done by, or any right accrued by, or any suit or proceeding had or commenced against the Assignor or Transferor prior to this assignment.
5) The Assignee or Transferee certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.
6) The Assignee or Transferee certifies that neither it nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification
7) The applicant certifies that it either (1) has an updated Form 602 on file with the Commission, (2) is filing an updated Form 602 simultaneously with this application, or (3) is not required to file Form 602 under the Commission's rules

**82) Typed or Printed Name of Party Authorized to Sign**

First Name: NIKOS	MI:	Last Name: HECHT	Suffix:
83) Title: MANAGING MEMBER OF GENERAL PARTNER			
Signature: NIKOS HECHT		84) Date: 03/27/04	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

**Authorizations To Be Assigned or Transferred**

85) Call Sign	86) Radio Service	87) Location Number	88) Path Number (Microwave only)	89) Frequency Number	90) Lower or Center Frequency (MHz)	91) Upper Frequency (MHz)	92) Constructed Yes / No	93) Assignment Indicator
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[illegible]

WPJD304	Yes
WPJD309	Yes
WPJD853	Yes
WPNG641	Yes
WPNH283	Yes
WPNH284	Yes
WPNH285	Yes
WPNH286	Yes
WPNH287	Yes
WPNH288	Yes
WPNH289	Yes
WPNH290	Yes
WPNH291	Yes
WPNH292	Yes
WPNH293	Yes
WPNH294	Yes
WPNH295	Yes
WPNH296	Yes
WPNH297	Yes
WPNH298	Yes
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WPNH300	Yes
WPNH301	Yes
WPNH302	Yes
WPNH303	Yes
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WPNH305	Yes
WPNH306	Yes
WPNH307	Yes
WPNH308	Yes
WPNH309	Yes
WPNH310	Yes
WPNH311	Yes
WPNH312	Yes
WPNH313	Yes
WPNH314	Yes
WPNH315	Yes
WPNH316	Yes
WPNH317	Yes
WPNH318	Yes
WPNH319	Yes
WPNH320	Yes
WPNH321	Yes
WPNH322	Yes
WPNH323	Yes
WPNH324	Yes
WPNH325	Yes
WPQP574	Yes
WPQP581	Yes
WPUQ765	Yes
WPUQ869	Yes
WPVN452	Yes
WPVN455	Yes
WPVN468	Yes
WPVN471	Yes

WPWM485	Yes
WPWM486	No
WPWR971	Yes
WPXS796	Yes
WPXS797	Yes
WPYU246	No
WPYU247	No
WPYU892	No
WPYU911	No
WPYU912	No

<b>FCC Form 603 Schedule A</b>	<b>Schedule for Assignments of Authorization and Transfers of Control in Auctioned Services</b>	Approved by OMB 3060 - 0800 See instructions for public burden estimate
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**Assignments of Authorization****1) Assignee Eligibility for Installment Payments (for assignments of authorization only)**

Is the Assignee claiming the same category or a smaller category of eligibility for installment payments as the Assignor (as determined by the applicable rules governing the licenses issued to the Assignor)?	
If 'Yes', is the Assignee applying for installment payments?	

**2) Gross Revenues and Total Assets Information (if required) (for assignments of authorization only)**

Refer to applicable auction rules for method to determine required gross revenues and total assets information

Year 1 Gross Revenues (current)	Year 2 Gross Revenues	Year 3 Gross Revenues	Total Assets:
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**3) Certification Statements****For Assignees Claiming Eligibility as an Entrepreneur Under the General Rule**

Assignee certifies that they are eligible to obtain the licenses for which they apply.
--

**For Assignees Claiming Eligibility as a Publicly Traded Corporation**

Assignee certifies that they are eligible to obtain the licenses for which they apply and that they comply with the definition of a Publicly Traded Corporation, as set out in the applicable FCC rules
---

**For Assignees Claiming Eligibility Using a Control Group Structure**

Assignee certifies that they are eligible to obtain the licenses for which they apply
Assignee certifies that the applicant's sole control group member is a pre-existing entity, if applicable

**For Assignees Claiming Eligibility as a Very Small Business, Very Small Business Consortium, Small Business, or as a Small Business Consortium**

Assignee certifies that they are eligible to obtain the licenses for which they apply
Assignee certifies that the applicant's sole control group member is a pre-existing entity, if applicable.

**For Assignees Claiming Eligibility as a Rural Telephone Company**

Assignee certifies that they meet the definition of a Rural Telephone Company as set out in the applicable FCC rules, and must disclose all parties to agreement(s) to partition licenses won in this auction. See applicable FCC rules
---

**Transfers of Control****4) Licensee Eligibility (for transfers of control only)**

As a result of transfer of control, must the licensee now claim a larger or higher category of eligibility than was originally declared?	No
If 'Yes', the new category of eligibility of the licensee is	

**Certification Statement for Transferees**

Transferee certifies that the answers provided in Item 4 are true and correct.
--

**Attachment List**

Attachment Type	Date	Description	Contents
Other	03/30/04	Related Pending Applications	0179197074283953826822439.pdf
Ownership	04/02/04	Attachment A - Proposed Ownership Diagram	0179212064283953826822439.pdf
Other	04/02/04	Exh. 1 - Descr. of Transaction and Pub. Int. Statement	0179212074283953826822439.pdf

## My Applications

## Pending Applications

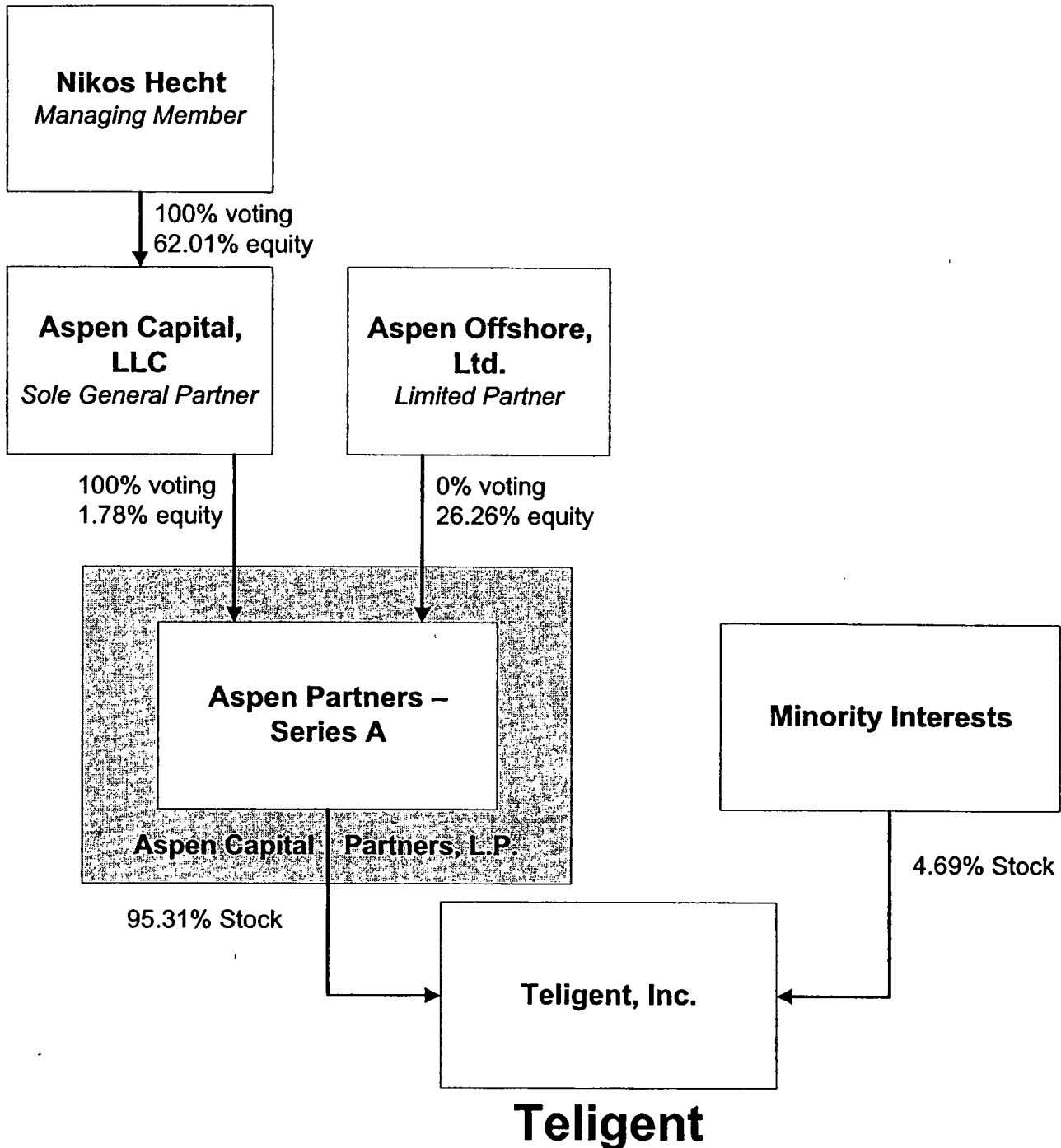
 [Help](#)

Pending Applications 1-17 of 17

	File Number	Call Sign	Received	Purpose	Radio Service
1	0001573234	Not Assigned	01/08/04	NE	CF
2	0001573235	Not Assigned	01/08/04	NE	CF
3	0001573237	Not Assigned	01/08/04	NE	CF
4	0001573238	Not Assigned	01/08/04	NE	CF
5	0001573239	Not Assigned	01/08/04	NE	CF
6	0001573240	Not Assigned	01/08/04	NE	CF
7	0001573241	Not Assigned	01/08/04	NE	CF
8	0001573242	Not Assigned	01/08/04	NE	CF
9	0001573243	Not Assigned	01/08/04	NE	CF
10	0001573244	WPWM486	01/08/04	MD	CF
11	0001637683	Not Assigned	03/01/04	NE	CF
12	0001637684	Not Assigned	03/01/04	NE	CF
13	0001671010	Not Assigned	03/25/04	NE	CF
14	0001671015	Not Assigned	03/25/04	NE	CF
15	0001671018	WPVN468	03/25/04	MD	CF
16	0001671021	WPVN471	03/25/04	MD	CF
17	0001671025	Not Assigned	03/25/04	NE	CF

**CLOSE WINDOW**

# Proposed Ownership



**DESCRIPTION OF TRANSACTION  
AND PUBLIC INTEREST STATEMENT**

**I. INTRODUCTION**

Teligent, Inc ("Teligent") and Aspen Partners – Series A, a Series of Aspen Capital Partners, L.P. ("Aspen Partners – Series A" or "Transferee") (collectively, the "Parties") hereby request Federal Communications Commission ("Commission") consent to the transfer of control of Teligent to Aspen. Teligent is the licensee of 102 24 GHz licenses and 18 common carrier point-to-point microwave licenses (collectively, the "Licenses"), as listed in the instant FCC Form 603.<sup>1</sup>

In support hereof, the Parties submit the following:

**II. THE PARTIES**

Teligent. Teligent provides voice and data telecommunications services, in part through use of the Licenses. After Teligent emerged from bankruptcy, 8,000 shares of common stock in the reorganized company were distributed to certain claimholders and other entities. Many decisions that affect Teligent are made by a committee of stockholders ("Stockholders Committee"). In the aggregate, certain members of the Stockholders Committee hold 2,988 shares of, or a 37.35 % interest in, Teligent.<sup>2</sup> The remaining shares in Teligent are widely held by multiple entities.

Aspen Partners – Series A. Aspen Partners – Series A currently holds 1,751 shares of, or a 21.89% interest in, Teligent. Aspen Partners – Series A is an investment company with diverse holdings and interests. Aspen Partners – Series A is a "series" of Aspen Capital Partners, L.P., a limited partnership organized under the laws of Delaware. Aspen Partners – Series A is a unique entity separate and distinct from Aspen Capital Partners, L.P., with its own taxpayer identification number, rights, powers, profits, losses and liabilities. Although Aspen Partners – Series A does not have a separate certificate of limited partnership, the certificate of limited partnership for Aspen Capital Partners, L.P. does explicitly disclose the separate nature of each

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<sup>1</sup> Contemporaneously herewith, the Parties are filing an application to transfer control of Teligent in its capacity as holder of international and blanket domestic authorizations granted pursuant to Section 214 of the Communications Act of 1934, as amended.

<sup>2</sup> The distribution of these shares is as follows: (i) JPMorgan Chase Bank – 1,000 shares; (ii) Bank of America Strategic Solutions, Inc. – 619 shares; (iii) Toronto Dominion Bank – 500 shares; (iv) Barclays Bank PLC – 469 shares, and (v) Van Kampen Senior Loan Fund – 400 shares



series of Aspen Capital Partners, L.P. Entities that hold a partnership interest in Aspen Partners – Series A do not necessarily hold an interest in Aspen Capital Partners, L.P.

As set forth in the Form 602 ownership disclosure filed contemporaneously herewith, Aspen Partners – Series A is controlled by Nikos Hecht, the managing member of Aspen Capital, LLC, the sole general partner of Aspen Partners – Series A.<sup>3</sup> Aspen Offshore Ltd. holds a 26.26% limited partnership interest in Aspen Partners – Series A. No other entity or individual holds a 10% or greater interest, direct or indirect, in Aspen Partners – Series A. Attachment A is a diagram depicting the proposed ownership of Teligent.

### **III. DESCRIPTION OF THE TRANSACTION**

As indicated above, Aspen Partners – Series A currently holds 1,751 of 8,000 available shares of Teligent, or a 21.89% interest. On March 8, 2004, Aspen Partners – Series A sent letters (“Offer Letters”) to members of the Stockholders Committee in which it offered to purchase their shares for a set price per share. On or before March 15, 2004, individual entities that are members of the Stockholders Committee submitted executed Offer Letters (“Letter Agreements”) for the sale of their shares of Teligent to Aspen Partners – Series A. Upon receiving the Letter Agreements from members of the Stockholders Committee, Aspen Partners – Series A extended additional Offer Letters to the remaining shareholders of Teligent. As of March 29, 2004, Aspen Partners – Series A had received Letter Agreements for the sale of an additional 2,886 shares. Thus, upon closing, Aspen Partners – Series A will own approximately 7,625 of the 8,000 shares of Teligent, or a 95.31% interest.

### **IV. PUBLIC INTEREST STATEMENT**

The proposed transaction is in the public interest. In applying the public interest test under Section 310(d) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(d) (the “Act”), the Commission generally considers: (1) whether the proposed transaction would result in any violation of the Act; (2) whether the proposed transaction would result in any violation of the Commission’s rules; (3) whether the proposed transaction would impair the Commission’s ability to implement or enforce the Act or would interfere with the objectives of the Act; and (4) whether the proposed transaction is likely to yield public interest benefits.

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<sup>3</sup> Nikos Hecht holds a 100% voting interest in Aspen Capital, LLC as its managing member and a 62.01% equity interest in Aspen Capital, LLC. Aspen Capital, LLC, a Delaware limited liability company, holds a 100% voting interest in Aspen Partners – Series A as its general partner and a 1.78% equity interest in Aspen Partners – Series A. Thus, Nikos Hecht holds *de jure* control over Aspen Partners – Series A as the sole managing member of the sole general partner of Aspen Partners – Series A.

The proposed transaction satisfies the first three considerations because it would not result in any violation or frustration of the Act or of the Commission's rules. The proposed transaction also satisfies the fourth consideration because the transfer of control will benefit the public. Under the control of Aspen Partners – Series A, Teligent would have better access to funding and therefore would be in a better position to invest in technology and service improvements. With further investment and improvement, Teligent could extend its telecommunications services to a wider segment of the public and promote the deployment of new services. Aspen Partners – Series A believes that the proposed transaction ultimately will increase competition in the provision of telecommunications services. Based on the foregoing, the Commission promptly should find that grant of the instant application will serve the public interest, convenience and necessity.

#### **V. PENDING APPLICATIONS**

The instant Application is intended to provide a complete listing of all FCC Licenses held by Teligent as of this date. However, Teligent now has on file, and may file prior to the close of the proposed transaction, additional requests for authorizations for new or modified facilities that may be granted during the pendency of this Application, or shortly thereafter. Accordingly, Aspen Partners – Series A respectfully requests that the grant of this Application include authority for the transfer of any authorization issued to Teligent or application filed by Teligent during the pendency of the instant Application. Attachment B to this Application lists currently pending applications. Such action would be consistent with prior decisions of the Commission. If necessary to facilitate this request, the Parties will amend this Application at the Commission's request immediately prior to disposition to include any additional licenses or applications, if any, that have been granted or filed in the interim period since the filing date.

#### **VI. TRANSFERABILITY**

The Parties submit that there are no transferability restrictions with respect to the Licenses because they were not obtained through competitive bidding.

#### **VII. CONCLUSION**

The Parties respectfully request that the Commission grant the instant application to transfer control of Teligent to Aspen Partners – Series A.

**AKIN GUMP  
STRAUSS HAUER & FELD LLP**

Attorneys at Law

**RECEIPT**

TOM W. DAVIDSON  
202.887.4011/fax 202.887.4288  
tdavidson@akingump.com

April 6, 2004

VIA COURIER

FCC/MELLON

APR 06 2004

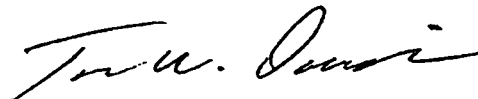
Federal Communications Commission  
Wireline Competition Bureau – CPD – 214 Appls.  
P.O. Box 358145  
Pittsburgh, PA 15251-5145

Re: Application For Authority Pursuant to Section 214 of the Communications Act of 1934 to Transfer Control of TELIGENT, INC., Holder of a Blanket Domestic Section 214 Authorization and an International Section 214 Authorization, File No. ITC-214-19971210-00775

Enclosed for filing please find an original and five copies of the above-captioned joint application for authority to transfer control of Teligent, Inc., holder of domestic and international Section 214 authorizations ("Joint Application"), to Aspen Partners – Series A, a Series of Aspen Capital Partners, L.P. A copy of this Joint Application is being filed contemporaneously herewith with the International Bureau, via the International Bureau's electronic filing system.

Also enclosed is a Form 159 and a check for the requisite filing fee amount of \$860. Finally, we have provided an additional copy of this filing to be date-stamped and returned to our courier. Please direct any questions concerning the Joint Application to the undersigned.

Best regards,



Tom W. Davidson, Esq.

Enclosures

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In re Application of

**Teligent, Inc.**

*Licensee*

and

**Aspen Partners – Series A, a Series of Aspen  
Capital Partners, L.P.**

*Transferee*

For Authority Pursuant to Section 214 of the  
Communications Act of 1934 to Transfer Control  
of Teligent, Inc., Holder of a Blanket Domestic  
Section 214 Authorization and an International  
Section 214 Authorization, File No. ITC-214-  
19971210-00775

File No. \_\_\_\_\_

**APPLICATION FOR CONSENT TO TRANSFER OF CONTROL**

Pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Sections 63.03, 63.04, 63.18 and 63.24 of the rules of the Federal Communications Commission ("Commission"), 47 C.F.R. § 63.03, 63.04, 63.18 and 63.24, Teligent, Inc. ("Teligent") and Aspen Partners – Series A, a Series of Aspen Capital Partners, L.P. ("Aspen Partners – Series A" or "Transferee") (collectively, the "Parties") hereby request Commission consent to transfer control of Teligent, holder of the above referenced international Section 214 authorization (the "International 214") and blanket domestic authorization ("Domestic 214") (together, "Section 214 Authorizations") to Aspen Partners – Series A. Pursuant to Section 63.04(b) of the Commission's rules, Teligent and Aspen Partners – Series A submit this application ("Application") as a combined application to assign the Section 214 Authorizations. As explained below, this application ("Application") qualifies for streamlined processing by the Commission pursuant to Sections 63.03(b) and 63.12 of the Commission's rules, 47 C.F.R. § 63.03(b) and 63.12.

## **I. PREAMBLE**

### **A. Description of the Transaction**

#### **1. Current Ownership.**

After Teligent emerged from bankruptcy, 8,000 shares of the reorganized company were distributed to certain claimholders and other entities. Aspen Partners – Series A currently holds 1,751 of these shares, or a 21.89 % interest. In the aggregate, certain members of Teligent's Stockholders Committee hold 2,988 shares, or a 37.35 % interest.<sup>1</sup> The remaining shares in Teligent are held by multiple entities.

#### **2. Acquisition of Control.**

On March 8, 2004, Aspen Partners – Series A sent letters ("Offer Letters") to members of Teligent's Stockholders Committee in which it offered to purchase their shares for a set price per share. On or before March 15, 2004, certain members of the Stockholders Committee submitted executed Offer Letters ("Letter Agreements") for the sale of their shares in Teligent to Aspen Partners – Series A, contingent upon receipt of prior Commission approval. Upon receiving the Letter Agreements from members of the Stockholders Committee, Aspen Partners – Series A extended additional Offer Letters to the remaining shareholders of Teligent. As of March 29, 2004, Aspen Partners – Series A had received Letter Agreements for the sale of an additional 2,886 shares. Thus, upon closing, Aspen Partners – Series A will own approximately 7,625 of the 8,000 shares of Teligent, or a 95.31% interest.

#### **3. Proposed Ownership.**

In the transaction that is the subject of this Application, Aspen Partners – Series A proposes to acquire at least a 95.31% controlling interest in Teligent, the holder of the Section 214 Authorizations. Aspen Partners – Series A is a "series" of Aspen Capital Partners, L.P., a limited partnership organized under the laws of Delaware. Aspen Partners – Series A is a unique entity separate and distinct from Aspen Capital Partners, L.P., with its own taxpayer identification number, rights, powers, profits, losses and liabilities. Although Aspen Partners – Series A does not have a separate certificate of limited partnership, the certificate of limited partnership for Aspen Capital Partners, L.P. does explicitly disclose the separate nature of each series of Aspen Capital Partners, L.P. Entities that hold a partnership interest in Aspen Partners – Series A do not necessarily hold an interest in Aspen Capital Partners, L.P.

As further set forth below, Aspen Partners – Series A is controlled by Nikos Hecht, the managing member of Aspen Capital, LLC, the sole general partner of Aspen Partners – Series A. Aspen Offshore Ltd. holds a 26.26% limited partnership interest in Aspen Partners – Series A.

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<sup>1</sup> The distribution of these shares is as follows: (i) JPMorgan Chase Bank – 1,000 shares; (ii) Bank of America Strategic Solutions, Inc. – 619 shares; (iii) Toronto Dominion Bank – 500 shares; (iv) Barclays Bank PLC – 469 shares; and (v) Van Kampen Senior Loan Fund – 400 shares.

No other entity or individual holds a 10% or greater interest, direct or indirect, in Aspen Partners – Series A. A diagram of the proposed ownership structure of Teligent is attached as Exhibit A.

**B. Public Interest Statement**

The proposed transfer of control will further the public interest, convenience and necessity. Under the control of Aspen Partners – Series A, Teligent would have better access to funding and therefore would be in a better position to invest in technology and service improvements. With further investment and improvement, Teligent could extend its telecommunications services to a wider segment of the public and promote the deployment of new services. Aspen Partners – Series A believes that the proposed transaction ultimately will increase competition in the provision of telecommunications services. Based on the foregoing, the Commission promptly should find that grant of the Application will serve the public interest, convenience and necessity.

**II. INTERNATIONAL 214 – SECTION 63.18 INFORMATION**

The following information is submitted pursuant to Section 63.18 of the Commission's rules in support of the Application to transfer control of Teligent in its capacity as holder of the International 214:

- (a) The name, mailing address, and telephone number of Teligent are as follows:

Teligent, Inc.  
Suite 100  
460 Herndon Parkway  
Herndon, VA 20170  
Attention: Brian Leventhal  
(703) 326-4400

The name, mailing address, and telephone number of Aspen Partners – Series A are as follows:

Aspen Partners – Series A, a Series of Aspen Capital Partners, L.P.  
Attention: Nikos Hecht  
152 West 57<sup>th</sup> Street, 46<sup>th</sup> Floor  
New York, NY 10019  
(212) 277-5600

- (b) Teligent is a corporation formed under the laws of Delaware.

Aspen Partners – Series A is a series of a limited partnership formed under the laws of Delaware.

- (c) Correspondence concerning this application should be sent to:

*For Teligent:*

To the address listed above in (a) with a copy to:

Raul R. Rodriguez  
David S. Keir  
Leventhal Senter & Lerman PLLC  
Suite 600  
2000 K Street, NW  
Washington, DC 20006  
(202) 429-8970

*For Aspen Partners – Series A:*

To the address listed above in (a) with a copy to:

Tom W. Davidson  
Akin Gump Strauss Hauer & Feld LLP  
1333 New Hampshire Ave., N.W.  
Washington, DC 20036  
(202) 887-4011

- (d) On January 23, 1998, the Commission granted to Teligent a Section 214 authorization to provide global facilities-based and global resale service (FCC File No. ITC-214-19971210-00775).

Aspen Partners – Series A does not hold, directly or indirectly, any authorizations pursuant to Section 214.

- (e) Not applicable.
- (f) Not applicable.
- (g) Not applicable.
- (h) The name, principal business, address, citizenship, and ownership interest of each entity that directly or indirectly will control a ten percent or greater interest in Aspen Partners – Series A at the time the instant transaction is consummated are as follows:

Name of Beneficial Owner:	Nikos Hecht
Business Type:	Individual
Address:	c/o Aspen Advisors LLC 152 W. 57 <sup>th</sup> Street, 46 <sup>th</sup> Floor New York, NY 10019
Citizenship:	USA

Percentage of Ownership: 100% indirect voting interest; 1.10% indirect equity interest<sup>2</sup>

Name of Beneficial Owner: Aspen Offshore Ltd.  
Business Type: Corporation  
Address: c/o Walkers  
Walker House  
P.O. Box 265GT  
George Town, Grand Cayman  
Cayman Islands  
Citizenship: Cayman Islands  
Percent interest held in Transferee: 26.26% direct equity interest<sup>3</sup>

Interlocking Directorates: Not applicable.

- (i) Transferee certifies that it is not a foreign carrier.

Transferee certifies that it is not affiliated with any foreign carrier.

- (j) Not applicable.

- (k) Not applicable.

- (l) Not applicable.

- (m) Not applicable.

- (n) Transferee certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route.

- (o) Pursuant to Sections 1.2001 through 1.2003 of the Commission's rules, Transferee certifies that no party to this Application has been denied federal benefits pursuant to

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<sup>2</sup> Nikos Hecht holds a 100% voting interest in Aspen Capital, LLC as its managing member and a 62.01% equity interest in Aspen Capital, LLC. Aspen Capital, LLC, a Delaware limited liability company, holds a 100% voting interest in Aspen Partners – Series A as its general partner and a 1.78% equity interest in Aspen Partners – Series A. Thus, Nikos Hecht holds *de jure* control over Aspen Partners – Series A as the sole managing member of the sole general partner of Aspen Partners – Series A.

<sup>3</sup> Aspen Offshore Ltd. is a foreign entity; however, it is a widely held entity, with both domestic and foreign interest-holders. The total foreign ownership in Aspen Offshore Ltd. results in 16.9% indirect foreign ownership of the Transferee. Direct foreign ownership in the Transferee equals 7%. Thus, the total direct and indirect foreign ownership in Aspen Partners – Series A amounts to 23.9%. This level of foreign ownership is permissible under Section 310(b) of the Act.



Section 5301 of the Anti-Drug Abuse Act of 1988.

- (p) This Application qualifies for streamlined processing. Transferee is not affiliated with any foreign carriers. Therefore, Transferee qualifies for a presumption of non-dominance on all international routes, and the instant Application qualifies for streamlined processing.

### **III. DOMESTIC 214 – SECTION 63.04 INFORMATION**

The following additional information is submitted pursuant to Section 63.04(a) of the Commission's rules in support of the Application to transfer control of Teligent in its capacity as holder of the Domestic 214:

- (a)(1) Name, address and telephone number of each applicant

See Section II(a) above.

- (a)(2) State in which each applicant is organized

See Section II(b) above.

- (a)(3) Contacts for correspondence

See Section II(c) above.

- (a)(4) Entities that directly or indirectly own a ten percent or greater interest in the Transferee

See Section II(h) above.

- (a)(5) Anti-Drug Abuse certification

See Section II(o) above.

- (a)(6) Description of the transaction

See Section I.A above.

- (a)(7) Geographic areas affected

Teligent offers resold long distance voice services in all fifty states and the District of Columbia. Consummation of the instant transaction will be transparent to Teligent's customers.

- (a)(8) Qualification for streamlined processing

This application qualifies for streamlined processing under Section 63.03(b)(1)(ii) of the Commission's rules because: (i) Aspen Partners – Series A is not a telecommunications

provider; and (ii) Transferee, through Teligent, will not have a share of the interstate, interexchange market of 10% or more.

**(a)(9) Other FCC applications**

Contemporaneously with this Application, the Parties are submitting an application on FCC Form 603 to transfer control of 102 24 GHz licenses and 18 common carrier point-to-point microwave licenses.

**(a)(10) Special consideration**

Streamlined and expedited processing of this Application is in the public interest for the reasons set forth above.

**(a)(11) Waiver request(s)**

None.

**(a)(12)**

Grant of this application will further the public interest, convenience and necessity for the reasons set forth above.

**IV. CONCLUSION**

Teligent certifies that the information it has contributed to this application is true, correct, and complete to the best of its knowledge, information and belief. Aspen Partners - Series A certifies that the information it has contributed to this application is true, correct and complete to the best of its knowledge, information and belief. Because grant of the Application will serve the public interest, the Parties respectfully request that the Commission expeditiously grant its consent to the Application.

Respectfully submitted,

Transferee:

ASPEN PARTNERS - SERIES A, A SERIES OF  
ASPEN CAPITAL PARTNERS, L.P.

By:



Nikos Hecht

Managing Member of General Partner

Date:

4/5/04

Teligent:

TELIGENT, INC.

By:

James Continenza

Chief Executive Officer

Date:

#### **IV. CONCLUSION**

Teligent certifies that the information it has contributed to this application is true, correct, and complete to the best of its knowledge, information and belief. Aspen Partners – Series A certifies that the information it has contributed to this application is true, correct and complete to the best of its knowledge, information and belief. Because grant of the Application will serve the public interest, the Parties respectfully request that the Commission expeditiously grant its consent to the Application.

Respectfully submitted,

Transferee:

ASPEN PARTNERS – SERIES A, A SERIES OF  
ASPEN CAPITAL PARTNERS, L.P.

By:

Nikos Hecht  
Managing Member of General Partner

Date:

Teligent:

TELIGENT, INC.

By:

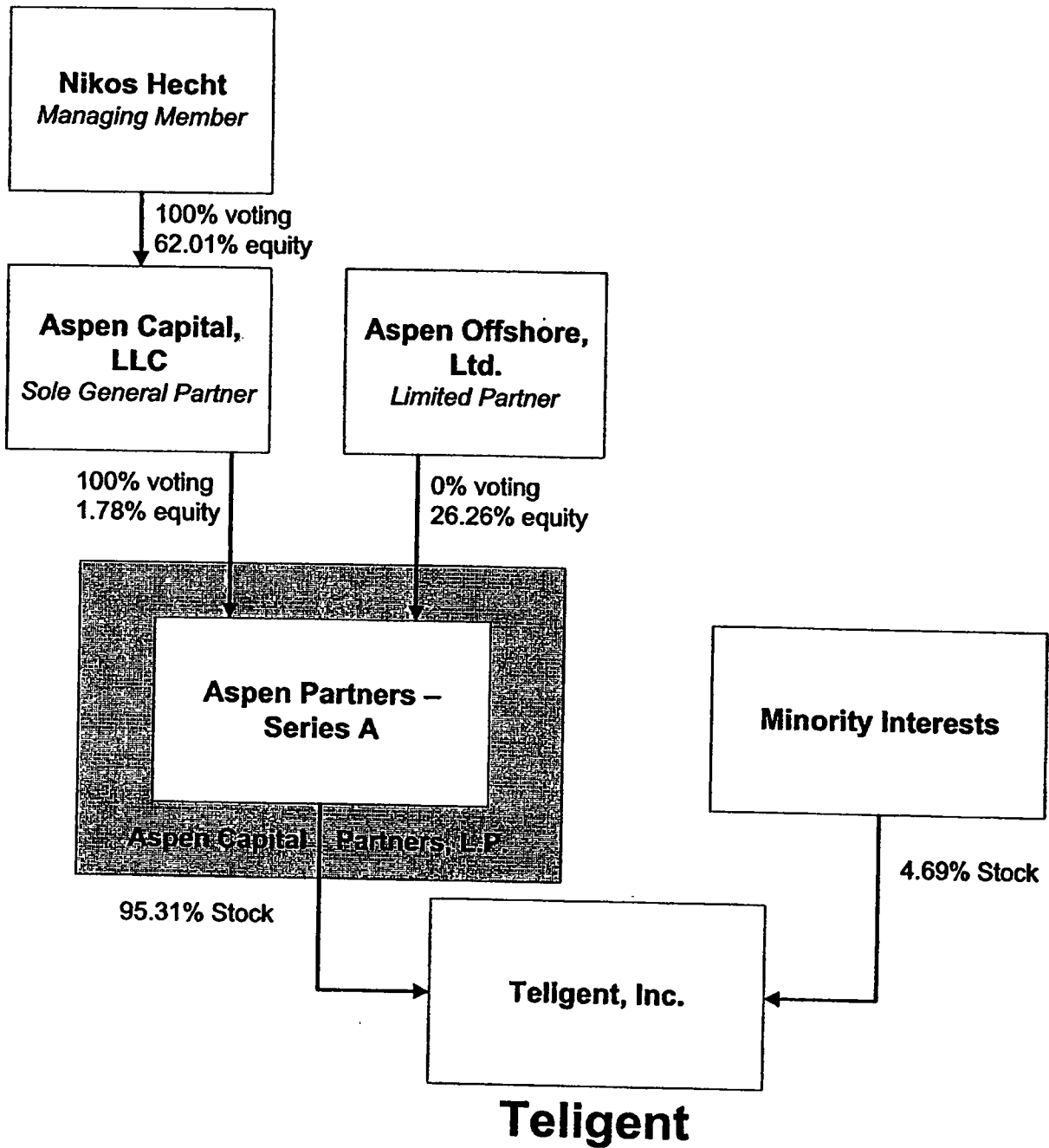
James Continenza  
James Continenza  
Chief Executive Officer

Date:

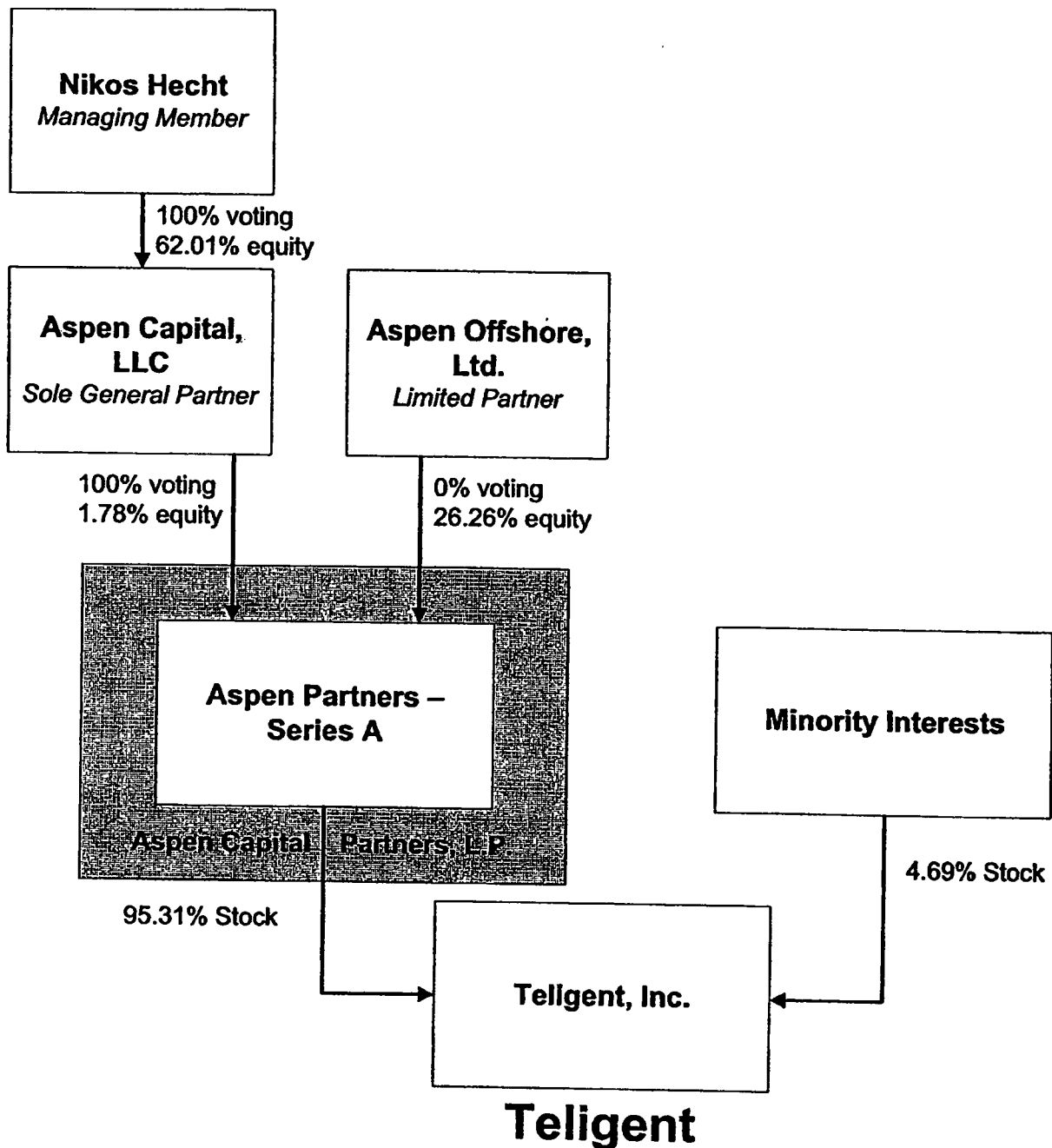
4-5-04

**EXHIBIT A**

## Proposed Ownership



## Proposed Ownership



READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

Approved by OMB  
3060-0589  
Page 1 of 1

(1) LOCKBOX # 358145			
<b>SECTION A - PAYER INFORMATION</b>			
(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) <b>AKIN GUMP STRAUSS HAUER &amp; FELD LLP</b>		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) <b>\$860.00</b>	
(4) STREET ADDRESS LINE NO. 1 <b>1333 NEW HAMPSHIRE AVE., N.W.</b>			
(5) STREET ADDRESS LINE NO. 2 <b>SUITE 400</b>			
(6) CITY <b>WASHINGTON</b>		(7) STATE <b>DC</b>	(8) ZIP CODE <b>20036</b>
(9) DAYTIME TELEPHONE NUMBER (include area code) <b>2028874000</b>		(10) COUNTRY CODE (if not in U.S.A.)	
<b>FCC REGISTRATION NUMBER (FRN) REQUIRED</b>			
(11) PAYER (FRN) <b>0005094446</b>			
<b>IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) COMPLETE SECTION BELOW FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET</b>			
(13) APPLICANT NAME <b>ASPEN PARTNERS - SERIES A, A SERIES OF ASPEN CAPITAL PARTNERS, L.P.</b>			
(14) STREET ADDRESS LINE NO. 1 <b>152 W. 57TH ST.</b>			
(15) STREET ADDRESS LINE NO. 2			
(16) CITY <b>NEW YORK</b>		(17) STATE <b>NY</b>	(18) ZIP CODE <b>10019</b>
(19) DAYTIME TELEPHONE NUMBER (include area code) <b>2122775600</b>		(20) COUNTRY CODE (if not in U.S.A.)	
<b>FCC REGISTRATION NUMBER (FRN) REQUIRED</b>			
(21) APPLICANT (FRN) <b>0010633915</b>			
<b>COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET</b>			
(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE <b>CUT</b>	(25A) QUANTITY <b>1</b>	
(26A) FEE DUE FOR (PTC) <b>\$860.00</b>	(27A) TOTAL FEE <b>\$860.00</b>		
(28A) FCC CODE 1	(29A) FCC CODE 2		
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY	
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE		
(28B) FCC CODE 1	(29B) FCC CODE 2		
<b>SECTION D - CERTIFICATION</b>			
CERTIFICATION STATEMENT <b>TOM W. DAVIDSON</b> , certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.			
SIGNATURE <i>Tom W. Davidson</i>		DATE <b>4/6/04</b>	
<b>SECTION E - CREDIT CARD PAYMENT INFORMATION</b>			
MASTERCARD _____ VISA _____ AMEX _____ DISCOVER _____			
ACCOUNT NUMBER _____		EXPIRATION DATE _____	
I hereby authorize the FCC to charge my credit card for the service(s)/authorization herein described.			
SIGNATURE _____		DATE _____	

SEE PUBLIC BURDEN ON REVERSE

FCC FORM 159

FEBRUARY 2003 (REVISED)



DOCUMENT HAS A COLORED BACKGROUND. SECURITY FEATURES LISTED ON BACK.

ARM GUMP, STRAUSS, HADLER & FELD, LLP  
DISBURSEMENT ACCOUNT  
REGISTERED LIMITED LIABILITY PARTNERSHIP  
DISBURSEMENT ACCOUNT  
1335 NEW HAMPSHIRE AVENUE, NEW  
WASHINGTON, DC 20034  
(202) 687-4000

EIGHT HUNDRED SIXTY AND 00/100 DOLLARS

FCC

VOID AFTER 1 MONTH IS

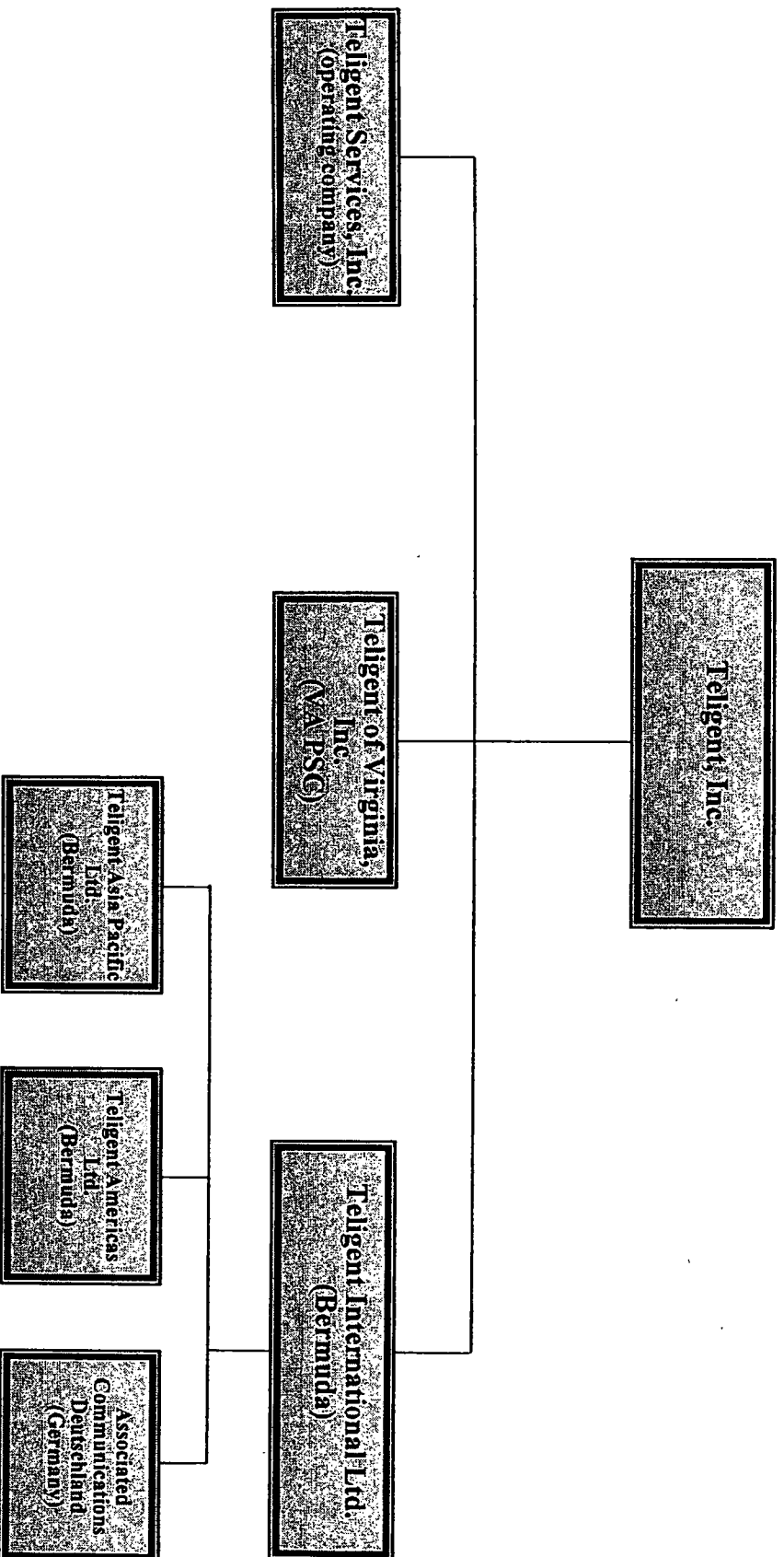
AUTHORIZED SIGNATURE

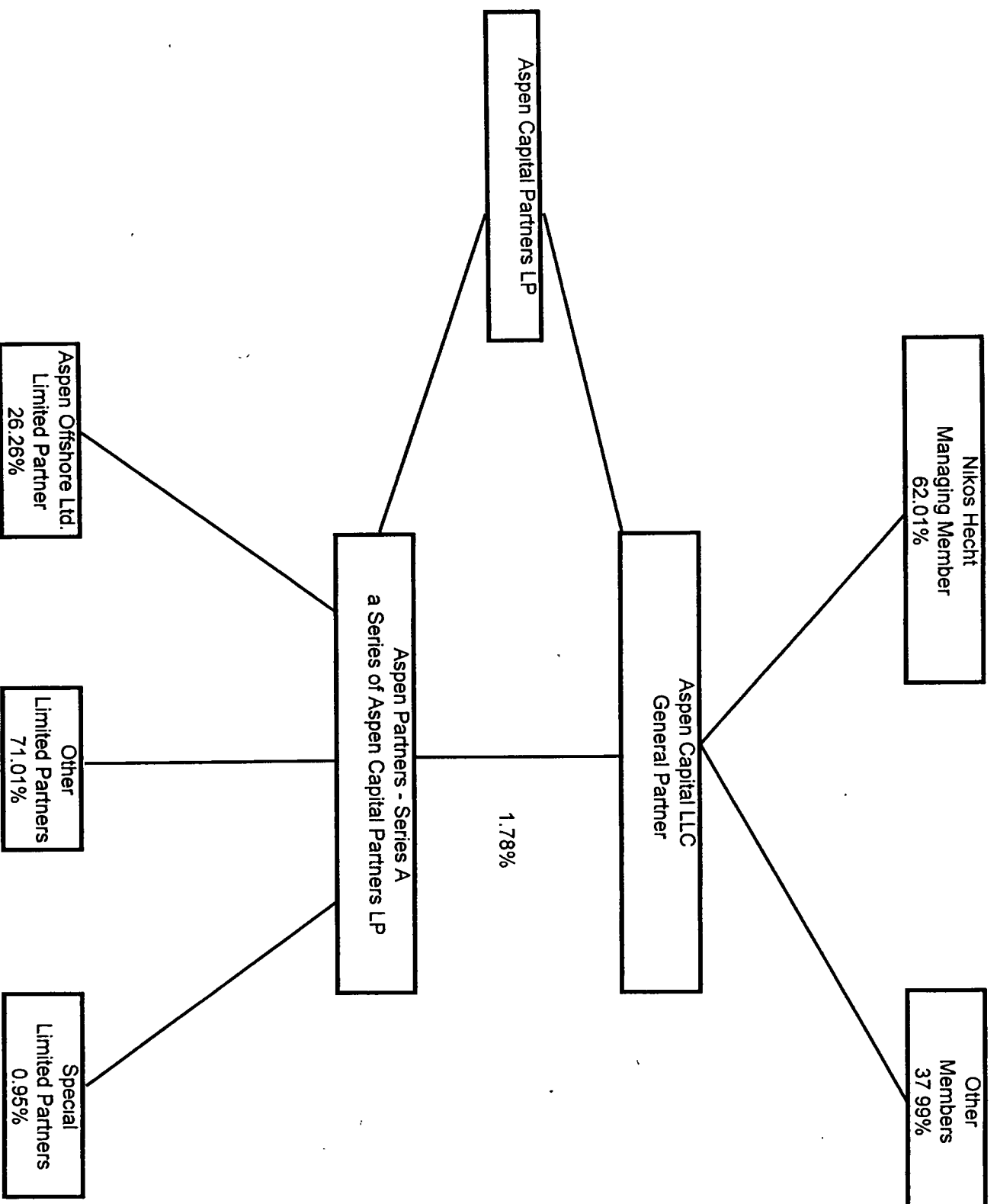
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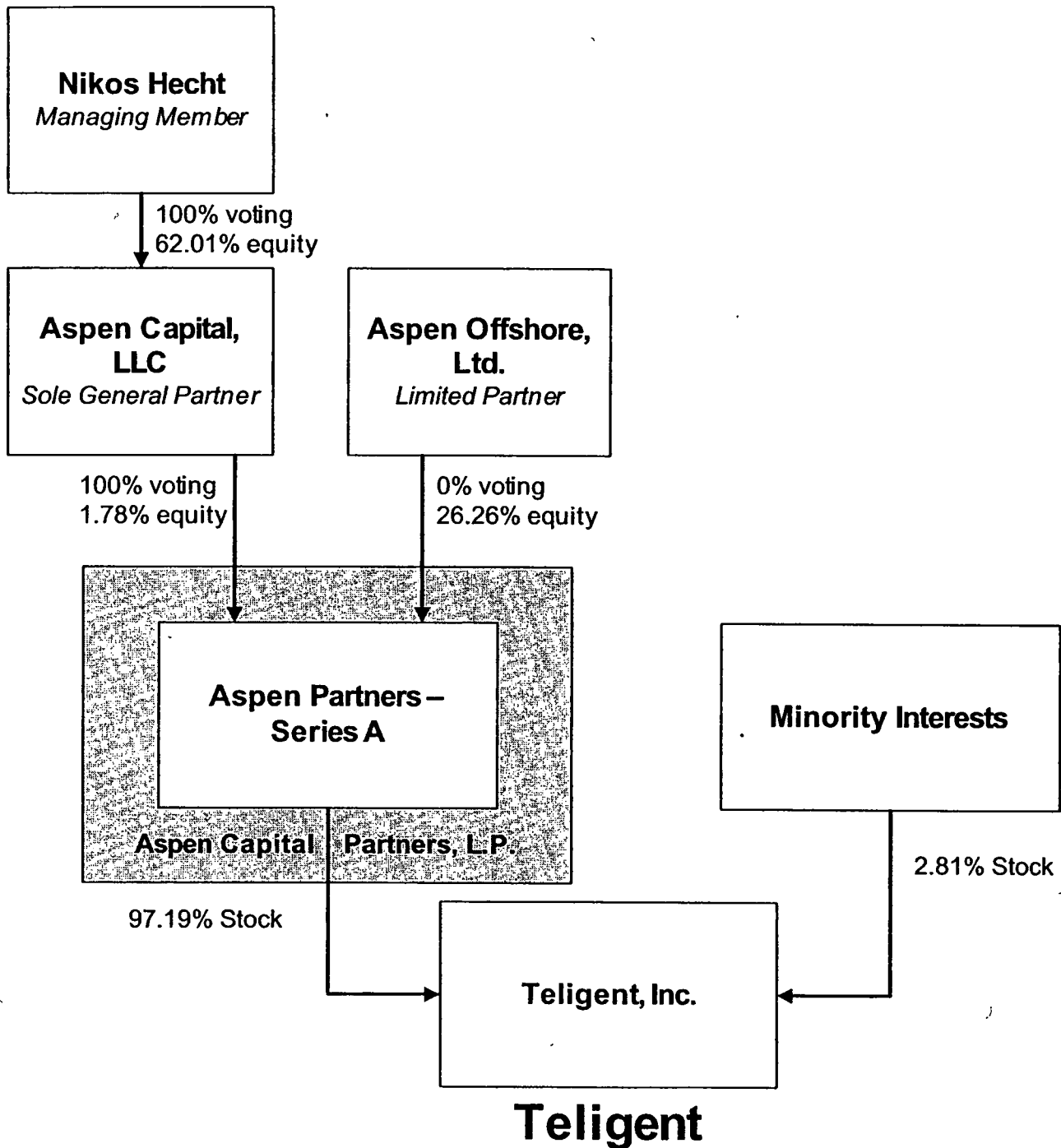
Attachment A

Structure as of December 31, 2002





# Proposed Ownership



BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

JOINT PETITION OF TELIGENT, INC., )  
TELIGENT SERVICES, INC., and )  
ASPEN PARTNERS - SERIES A, )  
A SERIES OF ASPEN CAPITAL )  
PARTNERS, L.P. FOR APPROVAL OF )  
A TRANSFER OF CONTROL )

DOCKET NO. 04-00132

**PLEADINGS - VOLUME I**

1. 04/28/04 Joint Petition of Teligent, Inc., Teligent Services, Inc., and Aspen Partners  
- Series A, a Series of Aspen Capital Partners, L.P., for Approval of a  
Transfer of Control
2. 05/11/04 Data Requests from the TRA to Teligent